

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TONY WRIGHT,

Plaintiff,

v.

SANDRA CARTER, *et al.*,

Defendants.

Case No. C07-5351 FDB


ORDER ADOPTING REPORT AND
RECOMMENDATION GRANTING
DEFENDANTS' MOTION TO
DISMISS WITH PREJUDICE

The Magistrate Judge recommends that this civil rights complaint be dismissed with prejudice. As detailed by the Magistrate Judge, Plaintiff's claim for relief has been previously denied for failure to exhaust administrative remedies and Plaintiff is collaterally estopped from asserting compliance with the prison grievance remedies in the present proceeding. Plaintiff has not filed a timely objection to the Report and Recommendation.

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendants' motion to dismiss (Dkt. # 11) is **GRANTED** and Plaintiff's Complaint (Dkt. # 5) is **DISMISSED WITH PREJUDICE**; and
- (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants and to the Hon. Karen L. Strombom.

DATED this 21st day of December, 2007.


FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

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